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The Honorable Stephen C. Robinson
United States Courthouse
300 Quarropas St., Room 633
White Plains, NY 10601

RE: Local Union No. 825 affiliated with the International Union of Operating Engineers, AFL-CIO and the Boards of Trustees of the International Union of Operating Engineers Local 825 Pension Funds, et als. -v- Landscape Unlimited, Inc.
Docket No.: 08-CV-00590

Dear Judge Robinson,

This law firm represents Local 825 International Union of Operating Engineers, and the Local 825 Employee Benefit Funds, the Plaintiffs in the above-captioned matter. The purpose of this correspondence is to request an adjournment of the due date for the proposed Scheduling Order in the above-captioned matter, which is currently set as due March 7, 2008, with a joint-letter due five (5) business days prior to the submission of this proposed Scheduling Order. This original due date was included in your Honor's Notice of Requirement to Submit a Scheduling Order, dated January 29, 2008.

On February 27, 2008, Rachel F. Ciccone, counsel for the Defendant, requested a thirty (30) day extension for which to file the Answer. Assuming your honor grants this extension, and sets the due date for March 27, 2008, it would be preferable to adjourn the due date of the proposed Scheduling Order to ten (10) day after the Answer's due date, or in other words until April 7, 2008.

I have discussed this request to adjourn the Scheduling Order with another member of Ms. Ciccone's firm, John S. Kommer, and he has no opposition. This is the first request for adjournment that we have made in this matter.

Thank you for your time and consideration. If you have any questions or concerns, please feel free to contact this office for further information.

Very truly yours,

USDC SDNY
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MATTHEW G. CONNAUGHTON

cc: John S. Kommer

Proposed scheduling order is
to be submitted by 4/7/08

APPLICATION GRANTED

Stephen C Robinson

HON. STEPHEN C. ROBINSON

3/3/08